

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TYRONE C. VAUGHTER,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 19-26
	:	
GEORGE W. HILL	:	
CORRECTIONAL FACILITY,	:	
Defendant.	:	

ORDER

AND NOW, this 24th day of January 2019, upon considering *pro se* Plaintiff Tyrone C. Vaughter's Motion for leave to proceed *in forma pauperis* (ECF Doc. No. 5), Prisoner Trust Fund Account Statement (ECF Doc. No. 6), Complaint (ECF Doc. No. 2), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Plaintiff's Motion for leave to proceed *in forma pauperis* (ECF Doc. No. 5) is **GRANTED**;

2. Tyrone C. Vaughter, #NP-2473, shall pay the full filing fee of \$350.00 in installments, under 28 U.S.C. § 1915(b). After reviewing Mr. Vaughter's submitted financial information, we assess an initial partial filing fee of \$8.54. The appropriate official at SCI Phoenix or at any other prison at which Mr. Vaughter may be incarcerated is directed to deduct \$8.54 from Mr. Vaughter's inmate trust fund account, when such funds become available, and forward the amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 19-26. After the initial partial filing fee is collected and until the full filing fee is paid, the appropriate official at SCI Phoenix or at any other prison at which Mr. Vaughter may be incarcerated, shall

deduct from Mr. Vaughter's account, each time Mr. Vaughter's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward the amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 19-26;

3. The Clerk of Court shall send a copy of this Order to the Superintendent of SCI Phoenix;


4. The Complaint (ECF Doc. No. 2) is deemed **filed**;

5. The Complaint is **DISMISSED without prejudice** for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii);

6. Mr. Vaughter is given leave to file an amended complaint no later than **February 25, 2019** if he can state a plausible claim for relief against a proper defendant. Any individual or entity not listed in the caption of the amended complaint will not be treated as a defendant. Any amended complaint must be a complete document describing in detail the basis for Mr. Vaughter's claims against each defendant. If Mr. Vaughter files an amended complaint, the Clerk shall not make service until further Order;

7. The Clerk of Court shall send Mr. Vaughter a copy of this Court's form complaint to be used by a prisoner filing a civil rights action under 42 U.S.C. § 1983. The Clerk of Court shall write the civil action number of this case on the form. Mr. Vaughter may use this form to prepare his amended complaint; and,

8. We may dismiss this case without prejudice without further notice if Mr. Vaughter fails to timely file an amended complaint consistent with this Order no later than **February 25, 2019**.



KEARNEY, J.